

Bill no.:	<u>Committee Print</u>
Amendment no.:	<u>5</u>
Date offered:	<u>10/26/05</u>
Disposition:	<u>Not Agreed to by</u> <u>24 years and 24 days</u>

**AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MR. STUPAK OF MICHIGAN**

Public safety fund

Insert at the appropriate place the following new
section:

1 SEC. ____ . PUBLIC SAFETY FUND.

2 Part A of the National Telecommunications and In-
3 formation Administration Organization Act (47 U.S.C.
4 901 et seq.) is amended by adding at the end the following
5 new section:

**6 "SEC. 106. PUBLIC SAFETY FIRST RESPONDER INTEROPER-
7 ABILITY FUND.**

8 "(a) AVAILABILITY OF FUNDS.—From the amounts
9 available from the Public Safety First Responder Inter-
10 operability Fund under section 309(j)(8)(E) (in this sec-
11 tion referred to as 'the Fund'), the Assistant Secretary
12 shall make grants in accordance with this section.

13 "(b) PURPOSE AND ACTIVITIES.—

14 "(1) GRANT PURPOSES.—In order to achieve
15 the objectives and carry out the purposes of this
16 part, the Assistant Secretary is authorized to make
17 grants, from amounts in the Fund, to implement
18 interoperability and modernization (including equip-



1 ment upgrades) for the communications needs of
2 public safety, fire, emergency, law enforcement, and
3 crisis management by State and local government
4 agencies and instrumentalities and nonprofit organi-
5 zations.

6 “(2) GRANT PREFERENCE FOR BROADER SCOPE
7 OF INTEROPERABILITY.—In making grants from the
8 Fund, the Assistant Secretary shall give preference

9 to eligible entities that are proposing inter-agency or
10 regional and multi-jurisdictional interoperability.

11 “(3) GRANT AVAILABILITY.—Grants from the
12 Fund shall be made available on a single or multi-
13 year basis to facilitate long term planning and train-
14 ing.

15 “(c) ELIGIBLE ENTITIES.—The following organiza-
16 tions and entities are eligible to apply for grants under
17 this section:

18 “(1) an agency or instrumentality of a State or
19 local government of the United States (including an
20 agency or instrumentality of the District of Colum-
21 bia or a territory or possession of the United
22 States); and

23 “(2) a nonprofit agency or organization that is
24 exempt from taxes under section 501(c)(3) of the In-
25 ternal Revenue Code of 1986 and that performs a



1 public safety function, as determined by the Assist-
2 ant Secretary.

3 “(d) PERMISSIBLE USES OF FUNDS.—Amounts
4 made available by grant from the Fund may be used by
5 eligible entities for equipment, training, planning, and re-
6 search for the purposes of upgrading communications and
7 the interoperability of communications used in public safe-
8 ty, fire, emergency, law enforcement, and crisis manage-
9 ment.

10 “(e) REPORTS.—

11 “(1) BY GRANT RECIPIENTS.—Each grant re-
12 cipient shall submit to the Assistant Secretary and
13 the board a report on the use of the funds provided
14 by the grant, and on the progress made with respect
15 to the improvement of the grant recipient’s commu-
16 nications capabilities.

17 “(2) BY ASSISTANT SECRETARY.—The Assist-
18 ant Secretary shall annually submit to the Congress
19 a report on the operations of the Fund and the
20 grants made by the Fund. Such report shall
21 include—

22 “(A) an identification of the grants made,
23 the recipients thereof, and the planned uses of
24 the amounts made available;



1 “(B) a financial report on the operations
2 and condition of the Fund; and

3 “(C) a description of the results of the use
4 of funds provided by grants under this section,
5 including the status of interoperability imple-
6 mentation by the grant recipients.

7 “(f) REGULATIONS.—The Secretary may prescribe
8 such regulations as may be necessary and appropriate to
9 carry out this section.”.

Page 11, line 13, strike “and” and after such line
insert the following new subclause (and redesignate the
succeeding subclause accordingly):

10 (II) \$5,800,000,000 shall be de-
11 posited in a separate fund in the
12 Treasury to be known as the “Public
13 Safety First Responder Interoper-
14 ability Fund”, and be available exclu-
15 sively to carry out section 106 of the
16 National Telecommunications and In-
17 formation Administration Organiza-
18 tion Act; and

